

# SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

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**TO:** Commissioners and Alternates

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**SUBJECT:** **Staff Report and Preliminary Recommendation Regarding Proposed Bay Plan Amendment 3-06 That Would Modify Port Priority Use Area in Oakland in the San Francisco Bay Plan and San Francisco Bay Area Seaport Plan Maps**  
(For Commission consideration and possible vote on January 18, 2007)

## Preliminary Recommendation

The staff preliminarily recommends that the Commission approve the application of the Oakland Redevelopment Agency to amend the *San Francisco Bay Plan* and the *San Francisco Bay Area Seaport Plan* maps by adopting the attached proposed Resolution No. 07-07. As illustrated in Figure 1, page 3 of the resolution, the amendment would relocate 15 acres of port priority use area designated for ancillary maritime support for trucking parking to serve the Port of Oakland.

## Proposed Bay Plan and Seaport Plan Amendment

**Plan Amendment Application.** The Oakland Redevelopment Agency has applied to the Commission to amend the *San Francisco Bay Plan* (Bay Plan) and the *San Francisco Bay Area Seaport Plan* (Seaport Plan) maps to relocate 15 acres of Oakland port priority use area designated for ancillary maritime use (AMS) for truck parking to serve the Port of Oakland. The proposed amendment would delete port priority use designation from the Baldwin property, a 15-acre parcel that is bounded by Engineer Road to the north, and West Grand and Wake Avenues to the south. The designation would be relocated to 15 acres of land closer to the Port of Oakland's marine terminals in the East Gate Yard of the former Oakland Army Base bounded by the existing Oakland port priority use area to the south, and to the north by Maritime Street and a line extending perpendicularly from Maritime Street to the point where West 21<sup>st</sup> Street intersects the existing port priority use area boundary (see Figure 1, page 3 of the resolution).

**Background.** In 2000, the Oakland Base Reuse Authority (Reuse Authority) and the Port of Oakland (Port) applied to BCDC to amend the Bay Plan and the Seaport Plan (Bay Plan Amendment No. 4-00) by removing the port priority use area and marine terminal designations from approximately 189 acres of the Oakland Army Base (Army Base) (about one half of the Army Base) that was being closed by the U.S. Department of Defense. At that time the entire Army Base was designated a port priority use area in the Bay Plan and Seaport Plan. Both plans



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provided that should the Army Base no longer be needed by the military, the facility should be evaluated for port and related industrial development.

As part of the Army Base closure process, the Reuse Authority prepared a base reuse plan that recommended that 189 acres, the area that it and the Port requested be deleted from port priority use, be transferred to the City of Oakland for development and that the remainder of the Army Base, approximately 184 acres, be transferred to the Port of Oakland for port uses. Deletion of the priority use area enabled the Port and the Reuse Authority to reconfigure land at the Port and the former Army Base so that the City of Oakland could proceed with its Gateway Development project and the Port could efficiently lay out its marine terminals and Joint Intermodal Terminal to increase cargo movement and throughput.

During BCDC's public hearing on the amendment application, truck operators who transport container cargo to and from the Port requested that additional land be reserved for trucking and port ancillary uses at or adjacent to the Army Base and the Port to serve their needs. The Port and the Reuse Authority agreed to each provide 15 acres of additional land specifically for port ancillary needs related to trucking.

The Reuse Authority studied three possible 15-acre parcels for maritime ancillary uses as part of the development of the Final Reuse Plan for the Army Base, including the two properties affected in this amendment application. At the time of the amendment public hearing process, the Final Reuse Plan was not complete. Under Resolution No. 00-10, the Commission and the Reuse Authority agreed that the Baldwin property would be identified as a port priority use area but that upon completion of the Final Reuse Plan if the Reuse Authority determined that one of the alternative sites would be more appropriate for port ancillary uses, it could apply to the Commission to make this substitution and BCDC would expedite the amendment application consistent with its law, policies and regulations. The Reuse Authority completed the Final Reuse Plan for the former Oakland Army Base in April 2001.

**The Applicant's Reasons for Requesting the Plan Amendment.** The Redevelopment Agency has determined that relocation of the 15-acre port priority use area designation to the East Gate Yard property would be more consistent with the comprehensive redevelopment plans for the former Army Base. The change would enable the Redevelopment Agency to move forward with development plans for the Baldwin Property as part of the Oakland Army Base Auto Mall project, and it would move the AMS area for port-related trucking closer to the Port of Oakland's marine terminals.

#### **Proposed Specific Changes to the Bay Plan and the Seaport Plan**

The Bay Plan and the Seaport Plan maps and the Seaport Plan Oakland Priority Use Boundaries description would be changed by the proposed amendment. Figure 1 on page 3 of the resolution indicates the specific change that would be made to Bay Plan Map 4 and Map 5, and to Seaport Plan Figure 4: Port of Oakland Port Priority Use Area.

Resolution No. 16 Priority Use Area Designations and Boundary Descriptions would be changed as follows with strikethrough language deleted from and the underlined language added to the description:

##### **Bay Plan**

Resolution No. 16

*52. Oakland (Port) (Amended by Bay Plan Amendment No. 5-82 and 4-00)*

(A) West Boundary: A line perpendicular to the shoreline extended from the intersection of Bataan Avenue and Burma Road to the shoreline~~parallel to Wake Avenue from its intersection with Grand Avenue~~ extended east to Wood Avenue.

The Seaport Plan Oakland Priority Use Boundaries description would be changed as follows with strikethrough language deleted from and the underlined language added to the boundary description:

**Seaport Plan**  
Oakland

*North Boundary:* Wake Avenue from the east side of its intersection with Engineer Road ~~West Grand Avenue easterly~~ and extended to the east side of the Interstate 880 right-of-way; hence north along the east side of the Interstate 880 right-of-way to Surryhne Street; hence easterly along Surryhne Street to Wood Street.

### Staff Analysis

Section 66602 of the McAteer-Petris Act requires the Commission to designate certain shoreline areas for water-oriented uses, including ports. These areas are designated on the Bay Plan maps as port priority use areas. As required by Section 66602, the Bay Plan must make adequate provisions for suitable locations for port uses to minimize the necessity for future Bay fill to create new sites for these uses. Port priority use areas are reserved for regional maritime port use and include within their premises marine terminals and directly ancillary activities such as container freight stations, transit sheds and other temporary storage, ship repairing, support transportation uses including trucking and railroad yards, freight forwarders, government offices related to the port activity, chandlers and marine services. The Bay Plan provides (Ports Policy 3, page 44) that port priority use areas should be protected for the port uses described above. The Bay Plan further provides (Ports Policy 1, page 43) that port planning and development should be governed by the policies of the Seaport Plan. The Seaport Plan provides (Cargo Forecast Policy 4, page 7) that port priority use and marine terminal designations should not be deleted if the deletions will detract from the regional capability to meet projected growth in cargo movement.

The proposed amendment, which would delete port priority use area designation from the Baldwin Property and add it to a portion of the East Gate Yard contiguous with existing port priority use area, would maintain 15 acres of land designated for port ancillary uses, or AMS, for port-related trucking as identified by Resolution No. 00-10 and therefore would not lead to the future need to fill the Bay to create new sites for these uses. Moreover, these changes to the port priority use area designations would not detract from the regional capability to meet the Seaport Plan projected Bay Area and Port of Oakland cargo forecast. Land designated for ancillary maritime support for port-related trucking is not used in the calculation of the Port's container cargo throughput and therefore the changes to these designations are consistent with the Seaport Plan Cargo Forecast Policy 4.

### Seaport Planning Advisory Committee Recommendations

Before BCDC and the Metropolitan Transportation Commission consider proposed plan amendments, these are reviewed by the Seaport Planning Advisory Committee which forwards

its comments and recommendations to the parties to be taken into consideration in each agency's separate decision-making process. Because the proposed amendment is minor in nature, the staff report was mailed to each member of the Seaport Planning Advisory Committee for individual member review and comment rather than schedule a meeting to review the application. The staff will provide the Commission with the comments of the Seaport Planning Advisory Committee prior to the public hearing.

### Environmental Assessment

This Environmental Assessment describes the potential environmental impacts of the proposed Bay Plan and Seaport Plan amendments at a programmatic level and concludes that there will be no significant adverse impact on the environment brought about by the relocation of the port priority use area from the 15-acre Baldwin Property to a 15-acre portion of the East Gate Yard. The City of Oakland, as lead agency for the Oakland Army Base Auto Mall Project, certified the Supplemental Environmental Impact Report (SEIR) for the project in December 2006. The Auto Mall Project SEIR supplements the Environmental Impact Report prepared for the Oakland Army Base Area Redevelopment Plan and Reuse Plan certified in July of 2002.

Potential environmental impacts associated with the Auto Mall Project which includes relocating the port priority use area designation are overall land use, traffic and air quality.

**Land Use.** The Auto Mall Project would alter existing land use patterns in parts of the Gateway Development Area, but the East Gate Yard property to be added to the port priority use area would remain zoned as it current is for heavy industrial use. This zoning is consistent with the Bay Plan port use designation.

The relocation of the 15 acres designated for ancillary maritime support for truck parking to serve the Port would create no net change in planned AMS acreage. The amendment would move the parking area closer to the Port and adjacent to existing port priority use area.

**Traffic.** Both project-specific and cumulative traffic impacts are expected with the Auto Mall Project. None of these impacts would be associated with the proposed amendment to relocate the port priority use area designated for AMS.

**Air Quality.** Overall, the Auto Mall Project alternatives would generate amounts of criteria pollutants in excess of cumulative significance thresholds. However, re-designation of the AMS area would not contribute to additional criteria pollutant emissions. Moreover, the project alternatives that involved relocation of AMS for port-related park trucking to the East Gate Yard would result in lower emissions relative to other project alternatives because diesel emissions were reduced with the shorter truck trips and less truck traffic in nearby neighborhoods.

### Response to Comments

The staff has not received comments on the proposed amendment.